



## School “Gender Inspection” Bills: Everyone Deserves Privacy and Safety

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### What Do These Laws Actually Do?

Every student needs to use the restroom, and every student should expect safety and privacy when using them. However, state lawmakers are attempting to pass laws that would invade everyone’s personal and medical privacy by requiring all students to prove that their anatomy matches either the sex on their birth certificate or the sign at the door of a restroom. Who will be responsible for conducting these inspections? How will they do that? In practice, these gender inspection bills risks everyone’s safety and privacy in restrooms, including transgender people.

These laws are an unprecedented governmental invasion of privacy. While they invade everyone’s personal and medical privacy, they single out transgender students making them vulnerable to bullying and discrimination. We should stand against any attempt to enact school gender inspection bills, which undermine the safety and privacy of all students.

### School Gender Inspection Bills Aim To Solve a Manufactured Problem

Seventeen states, Washington, D.C., more than 200 cities, and a number of school districts nationwide protect the privacy of everyone in restrooms, including transgender people, allowing everyone to use the facility that corresponds with who they are. According to law enforcement and school administrators in those states, cities and school districts, there has been no increase in reports of restroom harassment or violence. What is often forgotten is that inappropriate behavior in restrooms is already illegal. Respecting the ability of all students, including transgender students, to use the restroom that matches who they are does not increase indecent behavior in restrooms, nor does it make it permissible under the law.

### Schools Are for Learning

- School gender inspection bills require teachers and students to monitor where people use the restroom. **This undermines the safety and privacy of all students, including transgender students, and takes them away from what is most important: their studies.**
- Transgender girls are girls and belong in the girls’ room. Transgender boys are boys and belong in the boys’ room. **But the most important thing to know is that transgender people visit the restroom for the same reason as everyone else — to use it.** And when they do, they want privacy, safety, and respect just like everyone else.

- **Transgender and gender nonconforming people are already most at risk of violence in restrooms, and these bills increase that vulnerability.** Sexual assaults in public restrooms are rare; however, physical or verbal assaults on transgender people are not. People whose appearances fall outside of people's expectations of being a man or a woman — people who are gender nonconforming — face especially high rates of assault and harassment when they are doing something as basic as using the restroom.
- Federal agencies like the Departments of Education and Justice have said that school gender inspection bills violate Title IX sex discrimination law. **This legislation makes schools vulnerable to expensive lawsuits and endangers the state's millions of dollars in federal education funding.**

### **Transgender Students Are Already Struggling in School**

These bills exacerbates harassment that already exist in our schools, where nearly nine in ten transgender students are verbally harassed due to their gender expression (87 percent) and more than half have also been physically assaulted (53 percent), according to a 2009 GLSEN report. This legislation adds to the hostile climate facing transgender youth in schools, which leads to lower educational outcomes and higher rates of truancy than for non-transgender students. Most alarmingly, 51 percent of respondents who reported being bullied in school have attempted suicide, according to the 2011 National Transgender Discrimination Survey.

Restroom restrictions add unnecessary anxiety to the lives of transgender students. Instead of focusing on their studies, transgender students are forced to stress over which restroom might be safe for them to use throughout the day, if at all. Some transgender students will forego restroom use, avoid eating or drinking in order to avoid using the restroom, or choose to skip school altogether. All of these behaviors can cause lasting health problems for transgender students. As parents and teachers, our most important job is to make sure all of our kids are healthy, loved, and grow up to be contributing members of society. But school gender inspection bills make all of our students less safe, and for transgender students, makes it impossible for them to participate in their education.